

STATE OF WEST VIRGINIA
OFFICE OF DISCIPLINARY COUNSEL
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Jessica H. Donahue

COPY

March 22, 2011

John F. Tomasic
c/o Dr. Norman Gay N-3222
West Bay Street
Nassau, N.P. Bahamas

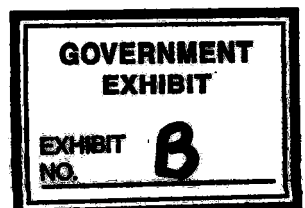
Re: *Ethics Complaint against Betty J. Pullin, Esquire*
I.D. No. 11-09-126, WVSB No. 5590

Dear Mr. Tomasic:

The complaint you filed against Respondent Betty J. Pullin, Esquire, has been received and reviewed by this office.

You allege Ms. Pullin has lied in different filings before a Court. Specifically, Ms. Pullin has exculpatory evidence available to her that she chooses to ignore. Your complaint involves factual and legal questions which are best addressed in appropriate proceedings before the Court. If a Court makes any finding of misconduct or other violation of the Rules of Professional Conduct, the Court may forward any such findings to this Office for consideration. However, at this time, your allegations are not cause for an investigation by this office.

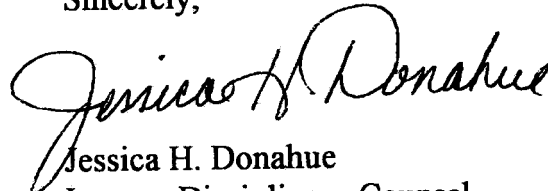
Accordingly, it has been determined that your complaint against Ms. Pullin does not constitute a violation of the Rules of Professional Conduct and this matter will be closed without further action. Ms. Pullin was not required to reply to this complaint.



John F. Tomasic
March 22, 2011
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Please be aware that under Rule 2.6 of the Rules of Lawyer Disciplinary Procedure, the Office of Disciplinary Counsel may release information confirming the existence of a complaint. Pursuant to *Daily Gazette Co., Inc. v. Committee on Legal Ethics*, 174 W. Va. 359, 326 S.E.2d 705 (1985), all closed complaints, including this one, are placed in a file which is accessible to the public.

Sincerely,


Jessica H. Donahue
Lawyer Disciplinary Counsel

JHD

cc: Betty J. Pullin, Esquire (w/copy of complaint)

[REDACTED]
[REDACTED]

BEFORE THE LAWYER DISCIPLINARY BOARD

City Center East
 4700 MacCorkle Avenue SE, Suite 1200C
 Charleston, West Virginia 25311
 (304) 558-7999 • Facsimile (304) 558-4015
 Website: www.wvdc.org

RECEIVED

MAR 21 2011

OFFICE OF
DISCIPLINARY COUNSELDate: March 15, 2011

1) **Complainant:** Mr. (☒) John F. Tomasic
 Your Name Ms. () [First] [Initial] [Last]

Your Address: c/o Dr. Norman Gay N-3222
 [Street/Post Office Box]
West Bay St
Nassau, N.P. Bahamas
 [City] [State] [Zip]

Your Telephone: 305-812-5406 [Home] 305-454-5101 [Business]
 [Note: It is very important that we have your telephone number(s)]

2) **Attorney Being Complained Of:**

Name: Betty Pullin
 [First] [Initial] [Last]

Address: 300 Virginia St. East, Suite 4000
 [Street/Post Office Box]
Charleston, WVa 25301
 [City] [State] [Zip]

Attorney's Telephone Number: 304-345-2200

3) Have you ever filed a complaint about this matter here or anywhere else?

Yes [] No [☒] If yes, please explain: _____

4) Have you brought a civil or criminal action against this attorney:

Yes [] No [☒] If yes, please explain: _____

5) What kind of case or legal matter are/were you and this lawyer involved in? Ms. Pullin
illegally seized my money; Ms. Pullin lied in
her pleadings.

6) **DETAILS OF COMPLAINT:** [Write here or attach separate written explanation; attach copies of documents which help explain your complaint. Give date last unethical act occurred.]

Ethics complaint against Betty Pullin:

Ms. Pullin has filed three separate In Rem Actions involving the same Search and Seizure Warrant. Ms. Pullin deliberately lied in her filings. The first In Rem, Docket #3 on 9-27-2010, failed to document the fact that the money in this account was from the settlement of the lawsuit against the Jail Authority of West Virginia, et al paid to me and the money from my mother's estate. Ms. Pullin had this exculpatory evidence available to her, yet, using kindergarten math, attempted to claim that the money was from the Practice at 35 West Third Ave., Williamson, W.Va. Instead of admitting her errors, Ms. Pullin filed a second In Rem on the same money, \$88,127.08, without sending a certificate of service to me or to my wife, Dr. Katherine Hoover. This is documented in Case No. 2:10-cv-1087 at docket number 22 filed on November 23, 2010. Ms. Pullin filled a default claiming that verified responses were not filed; or claiming responses were not filed to the second In Rem which she never sent to me.

In the third In Rem filed by Ms. Pullin, Case No. 2:11-cv-0101, she made the bald faced lie of claiming that our only income was from my wife's practice of medicine in Williamson, W.Va. Ms. Pullin had the exculpatory evidence in her possession until March 7, 2011 documenting that the money deposited in the WesBanco Account xxxx3002 was deposited in 2001, \$5,000.00 and March 12, 2004, \$22,000.00. Neither sum of money was from the practice of medicine by Dr. Hoover.

Ms. Pullin continues her lies by trying to connect my wife's practice with that of her friend, Dr. Diane Shafer. Although Dr. Hoover and Dr. Shafer have been good friends for many years, they have never had a business relationship. Ms. Pullin deliberately lied in her claim that the practices were related. She was attempting to discredit my wife with associations to people that she has erroneously claimed to have legal difficulties.

Ms. Pullin lacked in persona jurisdiction over me and my assets.

(DETAILS OF COMPLAINT CONTINUED)

7) **OATH OF COMPLAINT:** The facts written above, and in attached letters and documents are known by me to be true or are believed to be true.

John F. Lomen
Signature

Subscribed and sworn before me this 16 day of March, 2011.

Glenda S. Register
Official signature and official seal of notary

